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| 09/738,852      | 12/15/2000  | John C. Horton       | RA-5373             | 1674             |

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EXAMINER

SIDDIQI, MOHAMMAD A

| ART UNIT | PAPER NUMBER |
|----------|--------------|
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2154

DATE MAILED: 05/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/738,852

Applicant(s)

HORTON ET AL.

Examiner

Mohammad A Siddiqi

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 31 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-18 are presented for examination.

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-11, and 13-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Madrane et al. (6,573,907) (hereinafter Madrane).

4. As per claim 1 and 13, Madrane discloses a System for assigning (col 31, lines 16-25 and col 31, lines 56-59), each one of a plurality of versions (col 16, lines 34-35) of a software application (col 34, lines 40-41) to specific requests from specific users handled by a server (col 26, lines 52-53), wherein more than one of said plurality of versions (col 34, lines 40-41)

of a said software application (col 16, lines 34-35) is available to service requests from users on said server (col 31, lines 45-59), and wherein said specific users are provided access to said server by issuing requests to said server (col 31, lines 45-59), and wherein said requests have a SiteID code (col 22, lines 60-67) in each said request (col 49, lines 8-35), said system comprising:

- a network (col 23, lines 34-35) listening program for receiving said requests by said users for use of a said software application program (col 16, lines 34-35) version (col 50, lines 13-14),

- a table (col 72, lines 40-41) on said server (col 23, lines 10-14) containing correspondences between ones of a plurality of sites (col 22, lines 60-64) and ones of said SiteID codes (col 23, lines 20-27) said correspondences logically connecting (col 22, lines 61-62) a one of said more than one version (col 34, lines 40-43) of a said software application program (col 16, lines 34-35) to a one of said plurality of sites (col 23, lines 4-8) indicated by said SiteID code (col 23, lines 20-27), wherein said one of said plurality of sites has only one of said more than one (col 40, lines 55-56) version of a said software application program (col 23, lines 58-59 and col 16, lines 34-35) and at least one data area (col 22, lines 40-50),

- an access control manager (col 42, lines 65-67) program for determining which one of said more than one version (col 42, lines 52-55) of

a said software application program (col 16, lines 34-35) should be connected to each user request by reference to said table (col 43, lines 29-31),

a linking program (fig 19B, col 46, lines 11-12) for linking said a request to a site (col 46, lines 11-20).

5. As per claim 2, Madrane discloses wherein said table is a registry (col 70, lines 3-4) in a Microsoft Windows operating system (col 84, line 53).

6. As per claim 3, Madrane discloses wherein said access control manager program is part of said network listening program (col 84, lines 51-53).

7. As per claim 4, Madrane discloses said linking program is part of said network listening program (col 84, lines 51-53).

8. As per claim 5, Madrane discloses said network listening program comprises a web server (col 84, lines 51-53).

9. As per claim 6, Madrane discloses an auxiliary recording program for monitoring each request (col 44, lines 34-48) for ones of said plurality of sites and recording user information related to said each request (fig 19A, 19B, col 45, lines 48-67).

10. As per claim 7, Madrane discloses said auxiliary recording program supports billing programs that can bill for client usage of particular ones of said plurality of sites (col 45, lines 24-31, since each session is recorded, billing must be done for the usage).

11. As per claim 8, Madrane discloses auxiliary recording program supports maintenance programs that improve server performance (col 45, lines 48-67).

12. As per claim 9, Madrane discloses a linking program (col 84, lines 51-53) for communicating requests and responses between a one of said plurality of sites and said client after a first request is handled by said network listener program (col 46, lines 11-21).

13. As per claim 10, Madrane discloses said access control manager program spawns (col 49, lines 8-11) said linking program based on a said first request (col 46, lines 11-21).

14. As per claim 11, Madrane discloses said software application is a database application (figure 12, element 202, col 25, lines 27-30).

15. As per claim 14, Madrane discloses a method for assigning requests to particular versions of a software application program where multiple versions of said software application (col 34, lines 40-41) program are maintained for servicing requests on a server (col 31, lines 45-49) comprising:

receiving a user request at a server (col 42, line 42-44), reading a SiteID code (col 42, line 30) identifying a user site (col 49, lines 8-25) from within said user request (col 57, lines 9-27), determining with reference to a table (col 43, lines 11-12) which one of a plurality of versions of a software application program (col 16, lines 34-35) on said server (col 31, lines 45-59) is indicated by said request, linking (fig 19B, col 46, lines 11-12) said request to said one version (col 16, lines 34-35).

16. As per claim 15, Madrane discloses said linking further comprises; forwarding information from said request from a network listening program (col 84, lines 51-53) which performed said receiving step to a logical site (col 22, lines 60-67) on said server containing at least said one version, allowing said one version to process said information from said request (col 45, lines 48-67) and formulate a response responsive thereto (fig 19A, 19B), and returning said response to said user (fig 19A, fig 19B, col 45, lines 48-67).

17. As per claim 16, Madrane discloses said returning step comprises: passing said response to a communications program and communicating by said communications program information from said response to said user (col 46, lines 11-22).

18. As per claim 17, Madrane discloses spawning an independent communications process for handling communications between said site and said user (col 49, lines 8-11).

19. As per claim 18, Madrane discloses sending information identifying said user as having been connected to said one site to an auxiliary program (col 19A, 19B, lines 48-67).

***Claim Rejections - 35 USC § 103***

20. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.



21. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Madrane et al. (6,573,907) (hereinafter Madrane) in view of Mutschler et al. (5,974,430) (hereinafter Mutschler).

22. As per claim 12, Madrane fails to disclose said software application is the program called MAPPER substantially as presently available Unisys. However, Mutschler discloses said software application is the program called MAPPER substantially as presently available Unisys (col 6, lines 12-13). Therefore, it would have been obvious to one of ordinary skill in the art at the time invention is made to use MAPPER database because it would provide powerful scripting tools for building decision support applications of all sizes and complexity and it is very well integrated with the Microsoft platform.

### ***Response to Arguments***

23. Applicant's arguments filed 03/31/04 have been fully considered but they are not persuasive:

24. In response to applicant's argument "Madrane does not disclose a System assigning each one", the examiner respectfully disagrees. The Madrane prior art discloses a System for assigning each one of a plurality of versions of a software application to specific requests from specific users handled by a server (col 16, lines 34-35 and lines 43-50), wherein more than one of said plurality of versions of a said software application is available to service requests from users on said server (col 16, lines 34-35 and lines 43-50), and wherein said specific users are provided access to said server by issuing requests to said server (fig 14, col 24, lines 30-35), and wherein said requests have a SiteID code in each said request (col 49, lines 8-35) . Therefore, limitations are met by the reference.

25. In response to applicant's argument "Madrane does not teach. wherein said one of said plurality", the examiner respectfully disagrees. The Madrane prior art teaches wherein said one of said plurality of sites has only one of said more than one version of a said software application program (publishing and indexing, col 26, lines 10-50, col 23, col 31, lines 56-60, lines 58-59 and col 16, lines 34-35). Therefore, limitations are met by the reference.

26. In response to applicant's argument "Madrane does not teach. wherein said one of said plurality", the examiner respectfully disagrees. The Madrane prior art teaches wherein said one of said plurality of sites has only one of said more than one version of a said software application program (publishing and indexing, col 26, lines 10-50, col 23, col 31, lines 56-60, lines 58-59 and col 16, lines 34-35). Therefore, limitations are met by the reference. Claims 1, 13 and 14 stands rejected.

### ***Conclusion***

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the

advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mohammad A Siddiqi whose telephone number is (703) 305-0353. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on (703) 305-8498. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MAS



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